



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/780,044	02/09/2001	David J. Jilk JR.	BIGBOW-001-1	5538

21921 7590 03/14/2005

DOV ROSENFELD
5507 COLLEGE AVE
SUITE 2
OAKLAND, CA 94618

EXAMINER

WANG, LIANG CHE A

ART UNIT	PAPER NUMBER
----------	--------------

2155

DATE MAILED: 03/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/780,044	Applicant(s) JILK ET AL.	
	Examiner Liang-che Alex Wang	Art Unit 2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 February 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-81 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 25-49 and 65-81 is/are rejected.
- 7) ☒ Claim(s) 8-24 and 50-64 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7-23-01</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-81 are presented for examination.

Paper Submitted

2. It is hereby acknowledged that the following papers have been received and placed of record in the file:
 - a. **Information Disclosure Statements** as received on 11/23/2001 is considered.

Claim Objections

3. Claims 8-25, and 50-64 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 26-42, 65-78, 80-81 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
6. Regarding claims 26 and 81, the phrase "may be static or dynamic" renders the claims indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

7. Claims 26, 65, 80 rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. Claims 26, 65, 80 recite the limitation of "a third format". It is understood that original format is considered as the first format; however, the "second format" is not being mentioned in the presented claims, which renders the claims vague and indefinite.
8. All dependent claims are rejected to as having the same deficiencies as the claims they depend from.
9. Claims 26-42, 65-78, 80-81 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

11. Claims 1-7, 43-49 and 79 are rejected under 35 U.S.C. 102(b) as being anticipated by 'Quick Start Guide for www4mail," The Abdus Salam International Centre for Theoretical Physics, Trieste, Italy. <http://www.ictn.trieste.it-www4mail/>, Version 2.0 December, 1998, hereinafter www4mail.

12. Referring to claim 1, www4mail has taught a method of operating one or more Web page by email (page 1, lines 1-6), the method comprising the steps of:
- a. sending a first Web page in a first email message to a first email address via a computer network, the first Web page including one or more of links or forms that provide for further interaction, the Web page in a first format consistent with one or more properties of a first email environment such that the first Web page is directly operable in an instance of an email browser of the first email environment(pages 1-4); and
 - b. retrieving a second email message sent to a second email address via the computer networks the second email message including a URL request or form data, and generated as a result of a user directly operating the first Web page in an instance of the email browser of the first email environment (pages 1-9).
13. Referring to claim 2, www4mail further teaches transcoding an original Web page in a Web-browser format to the first format to generate the first Web page (page 6 –11, section 2.4)
14. Referring to claim 3, www4mail further teaches wherein the sending occurs when a calendar event occurs (page 11, section 2.5).
15. Referring to claim 4, www4mail further teaches wherein the sending includes sending the first Web page to one or more other email addresses (page 3).
16. Referring to claim 5, www4mail further teaches wherein the first and other email addresses to which the first Web page is sent are those email addresses that meet one or more targeting criteria (pages 2-4, section 2.2).

17. Referring to claim 6, www4mail further teaches wherein the sending includes sending a personalized version of the first Web page to one or more other email addresses (pages 6-7, section 2.4.3.)
18. Referring to claim 7, www4mail further teaches wherein the first and other email addresses to which the first Web page is sent are those email addresses that meet one or more targeting criteria (pages 2-4, section 2.2).
19. Referring to claims 43-49 and 79 claims 43-49 and 79 encompass the same scope of the invention as that of the claims 1-7. Therefore, claims 43-49 and 79 are rejected for the same reason as the claims 1-7.

Conclusion

20. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is reminded that in amending in response to a rejection of claims, the patentable novelty must be clearly shown in view of the state of the art disclosed by the references cited and the objection made. Applicant must show how the amendments avoid such references and objections. See 37 CFR 1.111(c).
21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Liang-che Alex Wang whose telephone number is (571)272-3992. The examiner can normally be reached on Monday thru Friday, 8:30 am to 5:00 pm.

Art Unit: 2155

22. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T Alam can be reached on (571)272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.
23. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Liang-che Alex Wang *lw*
March 10, 2005


HOSAIN ALAM
SUPERVISORY PATENT EXAMINER